

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

NATHANIEL CYPRIAN,

Defendant.

CASE NO. 8:07CR145

MEMORANDUM AND ORDER

This matter is before the Court on the Defendant's motion regarding a potential reduction in sentence under 18 U.S.C. § 3582(c)(2) (Filing No. 76). Defense counsel has been appointed but has not entered an appearance (Filing No. 75).

The Defendant received an early benefit of the 2008 amendments to the sentencing guidelines and sentenced to 71 months, within his guideline range of 60-71 months. The guideline range was based on a total offense level of 23 and placement in Criminal History Category III. The Defendant was held responsible for 34 grams of cocaine base. Under the recent amendments to the sentencing guidelines, his total offense level and sentencing guideline range of 60-71 months would remain unchanged.

Accordingly,

IT IS ORDERED:

1. The Defendant's motion regarding a potential reduction in sentence (Filing No. 76) is denied; and
2. The Clerk is directed to mail a copy of this Order to the Defendant at his last known address.

DATED this 19th day of March, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge